

2. On or about March 9, 2004 respondent was convicted in Federal District Court, Eastern District of Pennsylvania of one count of unlawful distribution or dispensing of a controlled substance in violation of USCA 21:841(a)(1). Specifically, respondent was involved in the distribution of 200 Roxicet tablets, a Schedule II CDS, to an individual who did not possess a lawful prescription.

3. Respondent was sentenced to a term of incarceration of five (5) months, five (5) months house arrest which shall be served as the initial period of a five year term of supervised release to be served after incarceration, a fine of \$5,000.00 and 100 hours of community service.

CONCLUSIONS OF LAW

1. The above conviction provides grounds to take disciplinary action against respondent's license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that the crime of which respondent was convicted is one of moral turpitude and/or relates adversely to the practice of pharmacy.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice pharmacy in the State of New Jersey was entered on July 20, 2004 and a copy was forwarded to respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day

following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the record reflects that the Provisional Order was served upon respondent, no response has been received to date. Accordingly the Board considered the matter, determined that further proceedings were not necessary and the Provisional Order should be made final.

IT IS THEREFORE on this 25th day of August, 2004,
ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey is hereby revoked with no right to request reinstatement for three (3) years from the date of entry of this Order.

2. Respondent shall cease and desist from engaging in the practice of pharmacy, including the following: respondent shall not handle, order, inventory, compound, count, fill, refill or dispense and drug, shall not handle anything requiring a prescription including devices and medications; shall not handle prescriptions; shall not advise or consult with any patient, and is

prohibited from being present within the prescription filling area of any pharmacy.

3. Respondent shall by execution of the within Order surrender his original wall certificate, his wallet certificate, and the most recent renewal card of his license to an authorized representative of the Board.

NEW JERSEY STATE BOARD OF PHARMACY

By: Pamela Allen
Pamela Allen, R.P.
Board President